

Appl. No. 10/685,828  
Docket No. H1799-00210  
Reply to Final Office Action of May 23, 2005

### **REMARKS/ARGUMENTS**

Upon acceptance and entry of this Amendment After Final Rejection, claims 3, 4, 6, 9-15, 18, 20, and 26 will be under active consideration in the subject patent application. Applicant requests entry of this Amendment After Final Rejection in order to place the case in better form for allowance or appeal.

In the Official Action, the Examiner has:

- (1) rejected claims 3, 4, 9, 12 and 19 under 35 U.S.C. § 112, second paragraph;
- (2) rejected claims 1, 3, 17, 18 and 24 under 35 U.S.C. § 102(b) in view of U.S. Patent No. 5,198,889, issued to Hisano et al.;
- (3) rejected claims 17, 19, 21 and 24 under 35 U.S.C. § 103(a) in view of U.S. Patent No. 5,198,889, issued to Hisano et al.;
- (4) rejected claims 4, 6, and 9-12 under the judicially created doctrine of double patenting over claims 4, 9, and 9-12 of U.S. Patent No. 6,657,121, and stated that a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c), may be used to overcome this rejection;
- (5) rejected claims 13-15 under the judicially created doctrine of double patenting over claim 14 of U.S. Patent No. 6,657,121, in combination with U.S. Patent No. 5,198,889, issued to Hisano et al.;
- (6) objected to claim 20 as being dependent upon a rejected base claim, and indicating that claim 20 would be allowable if rewritten in independent

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form including all of the limitations of the base claim and any intervening claims;  
and

(7) identified claim 26 as presenting allowable subject matter in view of all of the prior art of record in the case.

With regard to Items 1-7, Claims 1, 17, 19, and 21 have been canceled. Applicant has amended claims 3, 6, 9, 10 and 13 so as to change their dependencies from now canceled claim 1 to allowable claim 26. Applicant acknowledges with appreciation the Examiner's determination that claim 26 is allowable over all of the prior art of record in the case. Claims 3, 4, 6, and 9-15 are now allowable for all of the same reasons set forth by the Examiner in the Final Official Action, at least by virtue of their dependency from allowable claim 26. Applicant also submits that, due to at least the changes in dependency, dependent claims 4, 6, and 9-15 present subject matter that is patentably distinct from the subject matter defined by the claims in U.S. Patent No. 6,657,121.

Applicant has attended to all of the issues related to the Examiner's rejection of claims 3, 4, 9, and 12 under 35 U.S.C. §112, second paragraph, and acknowledges with appreciation the Examiner's diligence in this regard. In particular, claim 3, lines 2-3, has been amended so as to remove the limitation "first" so that claim 3 recites --said thermal bus-- The indefinite article "a" has been changed to the definite article --said-- in conformance with the Examiner's suggestion. Antecedent basis for the limitation --said thermal bus-- may be found at line ten of allowable claim 26, from which claim 3 now depends.

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In claim 4, Applicant has inserted the limitation --second-- so as to clarify the relationship to the loop thermosyphon presented in allowable claim 26, from which claim 4 now depends.

In regard to claim 9, Applicant respectfully submits that allowable claim 26 defines a thermal bus comprising "a loop-thermosyphon" while claim 9, which is now dependent from allowable claim 26, defines that same thermal bus as comprising "at least two loop-thermosyphons." One of ordinary skill would readily understand this further structural definition of the invention in light of the teachings in Applicant's specification and drawings. Reconsideration of the rejection of claim 9 under 35 U.S.C. §112, second paragraph, is requested.

Claim 12 has been amended so as to clarify that it is further limiting the "at least two loop-thermosyphons" introduced in claim 9.

Claim 19 has been canceled, and its subject matter has been introduced into allowable independent claim 20. The issue relating to antecedent basis for the limitation "said top wall" has been corrected by changing this limitation to --said top surface--. Antecedent basis for this limitation may be found in line 9 of allowable claim 26.

Finally, Applicant has corrected the inadvertent misspelling of the word planar in the claims.

All of the foregoing changes have placed the claims in form for Allowance without need for further searching or examination on the merits. Accordingly, entry of these changes to the claims is requested

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As acknowledged by the Examiner, claim 20 presented allowable subject matter as filed, but required presentation in independent form for issuance of a patent grant and not for reasons of patentability. Amended independent claim 20 includes all of the subject matter from now cancelled intervening claims 17 and 19. Amended independent claim 20 is allowable for all of the reasons set forth by the Examiner in the Official Action.

Applicant respectfully requests entry of this Amendment After Final Rejection into the application, and the issuance of a timely Notice of Allowance.

If a telephone conference would be of assistance in advancing prosecution of the above-identified application, Applicant's undersigned Attorney invites the Examiner to telephone him at 717-237-5516.

Date:

8/12/05

Respectfully Submitted,



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